

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JOHN DIRK WASSNER,

Plaintiff,

v.

No. 13-cv-0954 MCA/SMV

**CHRISTUS ST. VINCENT REGIONAL
MEDICAL CENTER, ALEX VALDEZ,
KEVIN GARRETT, BRENDA STEWART,
PEARL MOHNKERN,**

Defendants.

**ORDER GRANTING IN PART AND DENYING IN PART
PLAINTIFF'S MOTION TO EXTEND DEADLINES**

THIS MATTER is before the Court on Plaintiff's Motion to Extend Deadlines [Doc. 70], filed on November 12, 2014. Defendants responded in opposition on November 13, 2014. [Doc. 71]. Plaintiff replied on November 26, 2014. [Doc. 72]. Defendants were granted leave to file a surreply. [Doc. 73-1]. No hearing is necessary. The Court, having reviewed the briefing and the relevant law, and being otherwise fully advised in the premises, finds that the motion is well-taken in part and should be granted in part and denied in part.

On stipulations by the parties, scheduling deadlines in this case have been extended twice for a total extension of about six months. [Docs. 23, 42, 67]. Currently, Plaintiff requests a third extension of 30 additional days. [Doc. 70]. He explains that he needs the extension of time because his counsel has been occupied with the business affairs of her deceased father's estate. *Id.* at 2. Defendants oppose any extension because they argue that Plaintiff has not been diligent in pursuing discovery. [Doc. 71] at 1–3. The Court agrees with Defendants, but only in part.

Although Plaintiff could have made greater efforts to schedule the depositions of Defendants Garrett and Valdez, the Court finds that good cause exists to extend the discovery deadline to allow Plaintiff to depose them. *See* Fed. R. Civ. P. 16(b)(4).

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Plaintiff's Motion to Extend Deadlines [Doc. 70] is **GRANTED IN PART and DENIED IN PART**. The Court will extend only the discovery deadline until **January 9, 2015**, strictly for the purpose of deposing Defendants Garrett and Valdez. The deadline is not extended for any other purpose, including written discovery. No other deadlines are extended.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
United States Magistrate Judge